

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JIM MAXWELL and KAY MAXWELL,  
individually and as guardians of  
TREVER ALLEN BRUCE and KELTEN  
TANNER BRUCE; and JIM  
MAXWELL, as executor of the ESTATE  
OF KRISTEN MARIE MAXWELL-  
BRUCE,

Plaintiffs,

v.

COUNTY OF SAN DIEGO; ALPINE  
FIRE PROTECTION DISTRICT;  
VIEJAS FIRE DEPARTMENT;  
DEPUTY LOWELL; BRYAN "SAM"  
BRUCE; DOES 1-50.

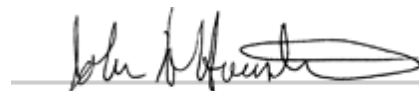
Defendants.

Civil No. 07cv2385 JAH(WMc)

**ORDER VACATING HEARING  
DATE**

After a careful review of the pleadings submitted in support of, and in opposition to the motion to dismiss [doc. # 12] filed by defendant Viejas Band of Kumeyay Indians (erroneously sued as Viejas Fire Department), this Court finds the motion suitable for decision without oral argument. *See* CivLR 7.1(d.1). Accordingly, IT IS HEREBY ORDERED that the hearing date for defendant's motion set for March 3, 2008 is **VACATED**.

DATED: February 25, 2008

  
JOHN A. HOUSTON  
United States District Judge